

**APPROVED AS AMENDED BY THE BOARD OF SELECTMEN**

**TOWN OF DARIEN  
BOARD OF SELECTMEN  
REGULAR MEETING MINUTES  
MAY 17, 2004**

**ATTENDANCE:** Evonne Klein, First Selectwoman; Linda Santarella; Dr. Joseph Miceli; Barbara Thorne; Robert F. Harrel, Jr.

**STAFF:** John Crary, Town Administrator

**CALL TO ORDER**

The First Selectwoman called the meeting to order at 7:50 p.m.

**1<sup>ST</sup> SELECTWOMAN'S REPORT**

First Selectwoman Klein stated that after extensive research to identify a site for the 4<sup>th</sup> of July fireworks she is disappointed to announce that there is no site for the display. She said the most important factor was to ensure safety of residence and buildings. At first, the largest concern was whether the fireworks could be seen from the middle school. Subsequently, the shooter gave a demonstration and informed them of the area that he would need. She said that backs of houses fall within the 300-foot clearance that is needed for the display. The Town would have to ask residents to vacate their homes from set up time to the all clear signal. First Selectwoman Klein said that this was the only problem with the site, parking was not an issue, the middle school was not an issue and the Senior Center was not an issue.

**Community Space**

First Selectwoman Klein stated that the Town is still in negotiations to acquire property with regard to open community space. She said that this is an opportunity for the Town to address the open space shortage for passive and recreational needs.

**Playground/Expansion of Casey Field**

First Selectwoman Klein stated that she would like to correct some misinformation with regard to the playground project and the expansion of Casey Field. She stated that the Board of Selectmen, at its last meeting, did not determine that the playground project needed a mandatory referral. The Board sent a letter along to the Planning & Zoning Commission for this project to be considered along with Casey Field.

First Selectwoman clarified the process for Casey Field. She stated that the EPC had Public Hearings on August 6, 2003 and September 3, 2003. The project was approved on September 3<sup>rd</sup>. Planning & Zoning Public Hearing was held on November 25, 2003. The project was approved on January 13<sup>th</sup>. The notice was published on January 22<sup>nd</sup> in the Darien newspapers. First Selectwoman Klein stated

that, at that point, anybody had the opportunity to appeal this project commencing January 22<sup>nd</sup>. No appeal was filed. The appeal time now has long passed. First Selectwoman Klein said that a mandatory referral process is not an appeal process.

### **Nature Center**

With regard to 25 dedicated parking spaces at the Nature Center, First Selectwoman Klein stated that after careful review by herself and John Crary, Town Administrator, it was found that there is nothing in the lease agreement that states there are 25 dedicated parking spaces for the Nature Center.

### **Safety Issue**

With regard to safety issues, First Selectwoman Klein said that the adults that are driving need to park between the lines, drive slowly, use common sense and beware.

### **Noroton Heights and Darien Train Stations**

First Selectwoman Klein said that with regard to Noroton Heights and Darien Train Stations, John Crary, Bob Steeger and Pat D'Arinzo and she met with Ray Cox and other members from the DOT last week along with representatives from Metro North to define and discuss the responsibilities of the Town, the State and Metro North with respect to the train stations. She said that overall it was a productive meeting. A draft copy of the new contract will be reviewed and modified with the Town Council and brought before the Board of Selectmen for review.

### **Stop Signs**

First Selectwoman Klein stated that she met with some residents of Brookside Road regarding the installation of a stop sign at Overbrook and Brookside Roads. She said that residents observed that Brookside Road is the longest stretch in Town that doesn't have any stop signs along the way. She said

that she suggested that the residents speak with the Police Commission and the Police Chief as the Board has no jurisdiction over them. First Selectwoman Klein stated that she did attend a Police Commission meeting later that day and brought up the matter regarding Brookside Road and the residents meeting as well as other traffic concerns in other areas of Town such as crosswalk and line painting. She said the Town has had some trouble in getting someone to paint the lines. She mentioned that there are now two pedestrian crossing signs downtown warning motorists to slow down.

Dr. Miceli asked for clarification as to the crossing signs. First Selectwoman Klein stated that when someone is in the crosswalk, the motorist is supposed to stop because the pedestrian has the right of way.

She said that there needed to be some public education regarding this.

## **Railroad Bridge Project**

First Selectwoman Klein stated that there would be a pre-construction meeting tomorrow in New Haven, Connecticut regarding the Railroad Bridge Project. She said that she would attend the meeting along with John Crary, Chief McManus, and Captain Lovello. The project is scheduled to begin on Monday, June 7, 2004. She said the construction is supposed to occur at night. First Selectwoman Klein stated that she spoke with Ray Cox regarding the tin roof and windows for the Noroton Heights Train Station. She said the canopies and pedestrian access way needed to be painted so they are trying to get this job hooked up to the Railroad Bridge Project. She said this would involve a Change Order.

## **Charter Revision**

First Selectwoman Klein said that she and Ms. Santarella will meet with Joyce Young, a member of the Greenwich League of Women Voters. She said they would meet again in June to talk about how Greenwich has done some of their Charter Revisions.

## **Community Outreach**

First Selectwoman Klein said that she met with Mary Guimond and Tom Haack regarding sound barriers along I-95. She said that letters in this regard have gone out to State Representatives. First Selectwoman Klein said that she spoke at the annual luncheon of the Goodwives River Chapter of the DAR last week. She said essentially she made the same remarks that she made at Monday night's RTM meeting. She stated that she had dinner and attended the Post 53 meeting last week. First Selectwoman Klein stated that she gave a tour of Town Hall to students from Shanghai.

First Selectwoman Klein stated that many of her e-mails have come with a virus attached so she has been deleting them. If someone has not received a response to an e-mail it is because they are infected.

## **Up & Coming**

Tomorrow night is First Selectwoman's Night Out at the Darien Library from 6:30 p.m. to 8:00 p.m. On Wednesday night, First Selectwoman Klein will be a member of a panel on Women in Politics. OPC is on Thursday, May 20, 2004 at noon. DHS awards ceremony is Friday, May 21, 2004. A Volunteer Luncheon is also on Friday at noon. More information will be forthcoming with regard to the Memorial Day Parade on Monday, May 31<sup>st</sup>.

Ms. Thorne stated that First Selectwoman Klein asked her to work with Monuments and Ceremonies on a special project. She said the Monuments and Ceremonies Advisory Commission is interested in creating a memorial circle that would honor War Veterans near the flagpoles in front of Town Hall. A number of the members have plans. Ms. Thorne said that she has been working with Maryann Costello on this and there are several ideas underway. She said she has contacted the Housing Authority because there is thought of moving some of the existing Veteran's memorials. She said that if some of the other pieces are not transportable from their present location, some of the monuments might be recreated. Ms. Thorne stated that the point is to honor the war veterans.

## **ADMINISTRATIVE OFFICER'S REPORT**

Mr. Crary stated that for the last couple of months he has been trying to find out why there has been a discrepancy for the last couple of years in the Grand List used to determine the mill rate and the Grand List that was used in determining the tax bills. A number of steps were researched to try to isolate what the variance was caused by with no success. He said it is possible that it is simply human error. The Board of Finance has a 3-member committee that will continue to look at this.

## **NEW BUSINESS**

### **a) Report from Bob Harrel on Connecticut Conference of Municipalities (CCM)**

Mr. Harrel stated that the major two items that need to be noted are CCM's efforts in causing the Conveyance Tax to be extended another year and that the real estate profession lobbied heavily against this. The other item discussed was Homeland Security money and the issue of the State allocating funds to each town. The discussion was around how different areas was going to handle it. Mr. Harrel said that it was not a consensus but it seems to him that it is going to regional groups such as SWRPA or the Greater Hartford Metropolitan Group, the feeling being that an emergency in one town in an area is not going to be solved by that town but is going to be solved by different regions. Mr. Harrel said that he and Mr. Crary along with two members of the library staff attended the 2<sup>nd</sup> Annual CCM Expo on Technology. He said it was very well attended and CCM's focus was sharpened.

### **b) Discuss and take action on proposed changes to lease with the Darien Boat Club**

It was the consensus of the Board of Selectmen to arrange a field trip before further discussion of the lease.

Mr. Harrel said that he is concerned with the part of the lease (Item 7) with regard to duties and obligations of the Boat Club. He said this item is not very clear. He said that racks were to be provided as part of the original lease and that they would be monitored.

**\*\* MR. HARREL MADE A MOTION TO TABLE THE DISCUSSION UNTIL THE NEXT MEETING ON JUNE 6, 2004.**

**\*\* MOTION PASSED UNANIMOUSLY.**

### **c) Letter from the Parks and Recreation Commission on use of the lower parking lot at the Senior Center for a Skate Park**

First Selectwoman Klein noted that the agenda states that it is the use of the lower parking lot at Town Hall and should say the Senior Center. Ms. Thorne stated that she does not feel that the Senior Center is a good spot for the Skate Park. Mr. Harrel said that it is an inappropriate location for it and suggested having Parks & Recreation come to discuss exploration of additional sites. Ms. Santarella stated that she is opposed to the Skate Park being at the Senior Center. She said it is inappropriate and it opens up more problems with regard to kids coming from school.

Jennifer Geddes, Director of the Commission on Aging stated that the Commission on Aging is extremely opposed to having the Skate Park in this location. She said it would cause a lot of safety issues, a lot of noise. She said that she would submit a letter in writing to the Board with regard to their opinion. She stated that the Director of the Senior Center is also opposed to it. She said also that they are concerned with who would monitor the Skate Park and who would assume liability for it.

First Selectwoman Klein recommended putting this item on the agenda for the Board meeting on June 7, 2004 at 5:30 p.m. and notifying Parks & Recreation so that they can attend the meeting.

**d) Discuss options for Spring Cleanup Program**

First Selectwoman Klein said at the last meeting discussion centered on whether it was worth it to have the Spring Cleanup Program once a year. Mr. Crary stated that the cleanup would tie up the Public Works Department for two full weeks. He said other options were looked at. One option is to go by appointment where citizens would call in and dates would be set when pickups would occur. The other option is to go by election districts. Mr. Crary said that he spoke with Mr. Steeger regarding these options and would pursue them further. First Selectwoman Klein stated that Mr. Steeger would come and discuss this further with the Board next week.

**e) Discuss and take action on WEB Policy regarding telephone numbers and home addresses on the WEB page**

Mr. Crary said that if everyone is in agreement that home address and telephone numbers of elected officials would be placed on the WEB. He said if anyone does not want this personally it would be taken out. Ms. Santarella said that this is a good idea.

**\*\* MR. HARREL MADE A MOTION TO APPROVE PLACING HOME ADDRESSES AND TELEPHONE NUMBERS OF COMMISSION MEMBERS AND ELECTED OFFICIALS ON THE WEB SITE.**

**\*\* MS. THORNE SECONDED THE MOTION.**

**\*\* MOTION PASSED UNANIMOUSLY.**

**f) Discuss and take action on application for funding in connection with Area Nine Cable Council**

First Selectwoman Klein asked that this item be tabled because further information is needed.

**\*\* MR. HARREL MADE A MOTION TO TABLE THIS ITEM.**

**\*\* MS. THORNE SECONDED THE MOTION.**

**\*\* MOTION PASSED UNANIMOUSLY.**

**g) Discuss and take action on Cherry Lawn Traffic, Parking and Safety Study**

First Selectwoman Klein referred the Board members to a letter they received in their packets from

John van der Kieft making a formal request for an accredited Parking and Safety Study before the final approval of Casey Field. She asked for Board comment on this. It was the consensus of the Board that First Selectwoman Klein should forward the letter on to Planning & Zoning. Ms. Santarella recommended including reference to Page 14 of the Town Charter, which outlines the power and duties of the Board of Selectmen.

**h) Budget Transfers**

**Police Department**

This transfer is needed to cover fuel oil charges that have been higher than budgeted.

- \*\* MR. HARREL MADE A MOTION TO TRANSFER FUNDS IN THE AMOUNT OF \$1,300 FROM ACCOUNT NO. A033231383014 – (FLEET SERVICES) TO ACCOUNT NO. A033232383005 – (STATION MAINT. & OPERATING HEATING FUEL).**
- \*\* DR. MICELI SECONDED THE MOTION.**
- \*\* MOTION PASSED UNANIMOUSLY.**

**Town Clerk**

This transfer is needed to cover microfilming expenses.

- \*\* MR. HARREL MADE A MOTION TO TRANSFER FUNDS IN THE AMOUNT OF \$2,250 FROM ACCOUNT NO. A0105-46003 (TC REVENUE) TO ACCOUNT NO. A0116002 82011 (MICROFILMING).**
- \*\* MS. SANTARELLA SECONDED THE MOTION.**
- \*\* MOTION PASSED UNANIMOUSLY.**

**Public Works**

This transfer is due to the winter of 2003-2004. It began early (blizzard of December 5-7), hit hard and lingered long. The Overtime, Motor Fuel and Lubricants, Ice Control Materials and Snow Removal Services accounts were all impacted by the severity of the winter.

- \*\* MR. HARREL MADE A MOTION TO APPROVE THE TRANSFER FUNDS FROM ACCOUNT NO. A0993006-86600 (CONTINGENCY FUND) IN THE AMOUNT OF \$148,578 TO ACCOUNT NO'S. A0442141-81004 (\$44,000); A0448001-81004 (\$8,000); A0447011-81004 (\$1,200); A0442143-83021 (\$69,083); A0448002-82014 (\$18,195); and A0442143-83004 (\$8,100).**
- \*\* MS. SANTARELLA SECONDED THE MOTION.**
- \*\* MOTION PASSED UNANIMOUSLY.**

### **PUBLIC COMMENT**

First Selectwoman Klein clarified mandatory referrals. She stated that Casey Field did not need a mandatory referral. She said the Board of Selectmen never said that the playground project or Casey Field needed a mandatory referral. She said the Board has the opinion of the Town Counsel. He said no on the Park Pals Playground Project and yes to Casey Field.

### **FORTHCOMING MEETINGS**

- |    |               |                      |                        |           |
|----|---------------|----------------------|------------------------|-----------|
| 1. | May 18, 2004  | Board of Finance     | Regular Meeting        | 8:15 p.m. |
| 2. | May 19, 2004  | Parks and Recreation | Regular Meeting        | 7:30 p.m. |
| 3. | May 25, 2004  | Planning & Zoning    | Public Hearing         | 8:00 p.m. |
| 4. | May 25, 2004  | Board of Education   | Regular Meeting        | 7:30 p.m. |
| 5. | June 7, 2004  | Board of Selectmen   | Regular Meeting at     | 5:30 p.m. |
| 6. | June 14, 2004 | Board of Selectmen   | Special Meeting at DCA | 5:30 p.m. |

### **OTHER BUSINESS**

None.

### **ADJOURNMENT**

**\*\* MS. SANTARELLA MADE A MOTION TO ADJOURN THE MEETING.  
\*\* MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 8:42 p.m.

Respectfully submitted,

Linda L. Custis  
Telesco Secretarial Services